

Exhibit A

Declaration of William E. Havemann

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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

KALSHIEX, LLC,

Plaintiff,

vs.

KIRK D. HENDRICK, in his official capacity as
Chairman of the Nevada Gaming Control Board,
et al.,

Defendants,

vs.

NEVADA RESORT ASSOCIATION,

Intervenor-Defendant.

Case No. 2:25-cv-00575-APG-BNW

**DECLARATION OF WILLIAM E.
HAVEMANN IN SUPPORT OF
PLAINTIFF'S EMERGENCY MOTION TO
STAY DISCOVERY**

I, William E. Havemann, declare as follows:

1. I am over the age of 18 years and a resident of Washington, D.C. I make this declaration based upon personal knowledge, except where stated to be upon information and belief, and as to that information, I believe it to be true. If called upon to testify as to the contents of this declaration, I am legally competent to testify to the contents of this declaration in a court of law.

2. I am an attorney duly licensed to practice law in the Commonwealth of Virginia and the District of Columbia with Milbank LLP, counsel of record for plaintiff KalshiEX LLC (“Kalshi”).

3. Pursuant to LR 7-4, I state as follows:

a. Nature of the emergency: Plaintiff Kalshi filed a Motion for Summary Judgment (ECF No. 86) on preemption grounds. Concurrently with its Motion for Summary Judgment, Kalshi has filed a Motion to Stay Discovery. If the Motion to Stay Discovery is heard in the ordinary course, Kalshi will be forced to engage in costly discovery in a case involving preempted state laws. The bulk of the benefits of a stay of discovery would be lost unless the motion is addressed expeditiously.

b. Addresses and telephone numbers of all other counsel:

i. Plaintiff’s counsel:

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a. Statement regarding meet and confer: I have met and conferred with opposing counsel on numerous occasions regarding Kalshi's intent to seek resolution of this case without discovery. I met and conferred with counsel for Defendants on May 1, 2025, and again on May 8, 2025, to share Kalshi's view that no discovery was warranted and to pursue an accommodation regarding a path forward. Because counsel for Defendants maintained that discovery was warranted, these discussions reached an impasse. In the Discovery Plan filed with this Court on July 2, 2025, Kalshi explained that it "intends to move for summary judgment by August 1, 2025, at which time it will seek a stay of discovery and explain in more detail why no discovery is warranted." ECF No. 80 at 4. I then notified all counsel, via email on July 30, 2025, of Kalshi's plan to seek a stay of discovery pending its forthcoming motion for summary judgment. The parties met and conferred

1 on August 1, 2025, but were unable to reach an agreement regarding a
2 discovery stay pending resolution of Kalshi's motion for summary
3 judgment. Accordingly, Kalshi is unable to resolve this matter without
4 court action.

5 I declare under penalty of perjury that the foregoing is true and correct.

6 EXECUTED this 1st day of August, 2025.

7 /s/ William E. Havemann
8 WILLIAM E. HAVEMANN
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